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12 United States of America
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15 IN THE UNITED STATES DISTRICT COURT
16
17 EASTERN DISTRICT OF CALIFORNIA

18 UNITED STATES OF AMERICA,

19 CASE NO. 2:20-MJ-0174-KJN

20 Plaintiff,

21
22 v.
23
24 STIPULATION FOR EXTENSION OF TIME FOR
25 PRELIMINARY HEARING PURSUANT TO RULE
26 5.1(D) AND EXCLUSION OF TIME AND
27 [PROPOSED] FINDINGS AND ORDER

28 RICHARD BELDON WATERS III,

1 Plaintiff.
2
3 Defendant.

4 DATE: April 27, 2021
5 TIME: 2:00 p.m.
6 COURT: Hon. Allison Claire
7

8 Plaintiff United States of America, by and through its attorney of record, Special Assistant U.S.
9 Attorney ROBERT J. ARTUZ, and Defendant RICHARD BELDON WATERS III, both individually
10 and by and through his counsel of record, JENNIFER MOUZIS, hereby stipulate as follows:

11 1. The Complaint in this case was filed on November 6, 2020, charging Waters with one
12 count of conspiracy to commit offenses against the United States, in violation of 18 U.S.C. § 371.
13 Waters first appeared before a judicial officer of the Northern District of California on or about
14 December 17, 2020, and was detained. He then first appeared in this district on April 13, 2021, where
15 the Complaint is pending. The Court set a preliminary hearing date of April 27, 2021. ECF 21.

16 By this stipulation, the parties jointly move for an extension of time of the preliminary hearing
17 date to May 28, 2021, at 2:00 p.m., before the duty Magistrate Judge, pursuant to Rule 5.1(d) of the
18 Federal Rules of Criminal Procedure. The parties stipulate that the delay is required to allow the defense
19 reasonable time for preparation, and for the government's collection and production of discovery and

1 continuing investigation of the case. For example, a protective order for production of discovery has not
2 yet been issued, and the government is preparing to produce discovery relevant to this case. Defense
3 counsel needs time to review and consider all the evidence and to conduct further investigation. The
4 parties further agree that the interests of justice served by granting this continuance outweigh the best
5 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

6 2. The parties agree that good cause exists for the extension of time, and that the extension
7 of time would not adversely affect the public interest in the prompt disposition of criminal cases.
8 Therefore, the parties request that the time between April 27, 2021, and May 28, 2021, be excluded
9 pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

10 IT IS SO STIPULATED.

11 Dated: April 20, 2021

PHILLIP A. TALBERT
Acting United States Attorney

13 _____
14 /s/ ROBERT J. ARTUZ
15 ROBERT J. ARTUZ
Special Assistant U.S. Attorney

16 Dated: April 20, 2021

17 _____
18 /s/ *Jennifer Mouzis*
19 JENNIFER MOUZIS
20 Counsel for Defendant
21 RICHARD BELDON WATERS III

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15 IN THE UNITED STATES DISTRICT COURT
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17 EASTERN DISTRICT OF CALIFORNIA

18 UNITED STATES OF AMERICA,

19 CASE NO. 2:20-MJ-0174-KJN

20 Plaintiff,

21 [PROPOSED] FINDINGS AND ORDER
22 EXTENDING TIME FOR PRELIMINARY
23 HEARING PURSUANT TO RULE 5.1(d) AND
24 EXCLUDING TIME

25 RICHARD BELDON WATERS III,

26 DATE: April 27, 2021
TIME: 2:00 p.m.
COURT: Hon. Allison Claire

Defendant.

27
28 The Court has read and considered the Stipulation for Extension of Time for Preliminary Hearing
Pursuant to Rule 5.1(d) and Exclusion of Time, filed by the parties in this matter on April 20, 2021. The
Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order,
demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule
5.1(d) of the Federal Rules of Criminal Procedure.

29 Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests
30 of justice served by granting this continuance outweigh the best interests of the public and the defendant
31 in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court further finds that the extension of time would
32 not adversely affect the public interest in the prompt disposition of criminal cases.

33
34 THEREFORE, FOR GOOD CAUSE SHOWN:

35 1. The date of the preliminary hearing is extended to May 28, 2021, at 2:00 p.m.

2. The time between April 27, 2021, and May 28, 2021, shall be excluded from calculation pursuant to 18 U.S.C. § 3161(h)(7)(A).

3. Defendants shall appear at that date and time before the Magistrate Judge on duty.

IT IS SO ORDERED.

DATED: April 20, 2021

Allison Claire
ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE